IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 14557 of 2004

Between:

G.Radha Krishna Murthy, s/o late Lakshminarayana Sastry,
r/o 4/386, 1st Lane, Pandaripuram, Chilakaluripet, Guntur District.

..... PETITIONER

AND

1 Mandal Revenue Officer, Chilakaluripet, Guntur District.
2 Revenue Divisional Officer, Narasaraopet, Guntur District.
3 Joint Collector, Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records and issue a writ or order or direction more particularly one in the nature of writ of mandamus and set aside the impugned order of the 2nd respondent issued in Rc.No.309/04:5:B, dt.nil -3-2004 signed on 13-3-2004 being illegal, arbitrary and violative of Articles 14, 19(1)(g) of the Constitution of India apart from being violation of the principles of natural justice.

Counsel for the Petitioner: MR.VENKATA RANGADAS KANURI

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

The petitioner is an authorised Fair Price Shop Dealer of Circle No.22 of Chilakaluripet, Guntur District. His authorisation was suspended, pending enquiry into certain allegations by the Revenue Divisional Officer by orders dated 13.03.2004. Against the said order, he preferred an appeal before the Joint collector. The said appeal was disposed of on 31.05.2004, with a direction to the Revenue Divisional Officer to complete the disciplinary proceedings within one month from the date of receipt of the order. Now, this writ petition is filed contending that inspite of the directions of the Joint Collector, the Revenue Divisional Officer has not completed the enquiry even till today.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

The learned Counsel for the petitioner contends that in view of the inaction on the part of the 2nd respondent to complete the enquiry, it is a fit case to set aside the order of suspension dated 13-03-2004 and to permit the petitioner to distribute the commodities.

Having regard to the facts and circumstances of the case, I am not inclined to grant the declaration as prayed for by the petitioner. However, since there is already a direction by the appellate authority to complete the enquiry within one month the 2nd respondent is bound to comply with the same. Moreover, in view of the fact that the order of suspension was passed as long back as in the month of March, 2004, I deem it appropriate to dispose of the writ petition with a direction to the Revenue Divisional Officer to complete the enquiry

pending against the petitioner and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of two weeks from the date receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

_____

17.08.2004

Note: Furnish CC in three days

(b/o)

VGB

To

1 The Mandal Revenue Officer, Chilakaluripet, Guntur District.
2 The Revenue Divisional Officer, Narasaraopet, Guntur District.
3 The Joint Collector, Guntur, Guntur District.

4 2CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT)

5 2CD copies